

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 8TH DAY OF JANUARY 2015/18TH POUSHA, 1936

Crl.MC.No. 6975 of 2014 ()

CC.NO.642/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT -I,
PATHANAMTHITTA
CRIME NO. 244/2012 OF PATHANAMTHITTA POLICE STATION , PATHANAMTHITTA

PETITIONER(S)/ACCUSED :

1. ANOOP KUMAR,S/O.NATARAJAN, AGED 32 YEARS,
ELANGALLOOR HOUSE, AZHOOR MURI, PATHANAMTHITTA.
2. ARUN KUMAR, S/O.NATARAJAN,AGED 33 YEARS,
ELANGALLOOR HOUSE, AZHOOR MURI, PATHANAMTHITTA.

BY ADVS.SRI.JAMES ABRAHAM (VILAYAKATTU)
SRI.P.BALAN (VYTTLA)

RESPONDENT(S)/COMPLAINANTS :

1. STATE OF KERALA THROUGH THE SUB INSPECTOR OF POLICE,
PATHANAMTHITTA POLICE STATION, REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.
2. KOMALAM, W/O.RAMACHANDRAN PILLAI,AGED 58 YEARS,
KEEZHOOR VEEDU, AZHOOR MURI, PATHANAMTHITTA-686 501.

R1 BY PUBLIC PROSECUTOR SRI.JIBU P. THOMAS
R2 BY ADV. SRI.L.RAM MOHAN

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 08-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

CRMC.NO.6975/2014

APPENDIX

PETITIONER'S ANNEXURES:

ANNEX A1 COPY OF THE FIR NO.244/12 PATHANAMTHITTA POLICE STATION.

ANNEX A2 COPY OF THE FINAL REPORT IN CRIME NO.244/12.

ANNEX A3 AFFIDAVIT DATED 5/12/2014 SWORN BY THE 2ND RESPONDENT.

RESPONDENT'S ANNEXURES: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

B.KEMAL PASHA, J.

Crl.M.C.No. 6975 of 2014

Dated this the 8th day of January, 2015

ORDER

The petitioners are the accused in C.C.No.642 of 2012 of the Judicial First Class Magistrate's Court-I, Pathanamthitta, which is arisen from Crime No.244 of 2012 of the Pathanamthitta Police Station for the offences punishable under Sections 447, 323, 294(b) and 354 read with Section 34 IPC.

2. The prosecution case is that on 18.02.2012, at 3 p.m, the petitioners trespassed into courtyard of the house of the defacto complainant woman, abused her and assaulted her, thereby outraging her modesty.

3. According to the petitioners, the matter has been amicably settled between the petitioners and the defacto complainant and presently, the defacto complainant has no

complaints against the petitioners. Parties are neighbours.

4. Heard the learned counsel for the petitioners, learned counsel for the defacto complainant and learned Public Prosecutor and perused the report filed by the investigating officer.

5. The defacto complainant, who is the 2nd respondent, has filed Annexure 3 affidavit, affirming that the matter has been amicably settled between her and the petitioners and presently she has no complaints against the petitioners. She has entered appearance and the learned counsel for the 2nd respondent also endorses the fact that the affidavit has been sworn in by the 2nd respondent on her volition. As the matters in dispute have been amicably settled between the parties, there is no meaning in proceeding with the matter further and therefore, all further proceedings in C.C.No.642 of 2012 pending before the Judicial First Class Magistrate's Court-I, Pathanamthitta can be quashed.

In the result, this CrI.M.C is allowed and Annexure A2

Final Report as against the petitioners and all further proceedings based on it in C.C.No.642 of 2012 of the Judicial First Class Magistrate's Court-I, Pathanamthitta, are hereby quashed.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/8/1/15

// True Copy //

P.A. To Judge